

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2006-004982

09/01/2011

COMMISSIONER J. JUSTIN MCGUIRE

CLERK OF THE COURT

E. Ramirez

Deputy

ATLAS IV-D 000219432403
STATE OF ARIZONA, EX REL, DES
TIMICA SHEREE EWOLDT

TIMICA SHEREE EWOLDT
9357 WEST PONTIAC DR
PEORIA AZ 85382

AND

DOUGLAS ALLEN SCHAETZLE

DOUGLAS ALLEN SCHAETZLE
4124 W IRONWOOD DR
PHOENIX AZ 85051

AG-CHILD SUPPORT-NORTH
CENTRAL OFFICE
FAMILY COURT SERVICES-CCC

IV-D CONTEMPT HEARING

Courtroom 506—Central Court Building

11:16 a.m. This is the time set for Enforcement Evidentiary Hearing on the State's *Petition to Enforce Support* filed May 12, 2011. Petitioner/Mother, Timica Sheree Ewoldt, is present on her own behalf. Respondent/Father, Douglas Allen Schaetzle, is present on his own behalf. The State is represented by Assistant Attorney General Steven G. Smith.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Timica Sheree Ewoldt and Douglas Allen Schaetzle are sworn.

Counsel for the State advises the Court of the State's position and recommendations. No child support payments have posted through the Support Payment Clearinghouse since January, 2009. Interest on child support arrears accrues at \$200 per month.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2006-004982

09/01/2011

Timica Sheree Ewoldt testifies.

The Court notes that Mother has testified in open court to assisting Father with application for medical disability and that the parties are working cooperatively together. The parties each reside separately with his or her parent due to financial hardships and requests waiver of child support arrears.

Counsel for the State advises the Court that \$6,679 are owed the State.

Discussion is held.

LET THE RECORD REFLECT that Mother has other children in the household not in common with Father and has another open IV-D case. The arrears calculation regarding the amount owed to the State is not itemized as to the amount owed regarding the parties' common children.

Timica Sheree Ewoldt testifies further.

Douglas Allen Schaetzle testifies.

LET THE RECORD REFLECT that Obligor/Mother waives child support arrears (principal and interest) for the time period May 1, 2007, through August 31, 2011.

THE COURT FINDS that the parties' agreement, as stated on the record, (1) is the parties' agreement; (2) is understood by the parties to be their agreement; (3) is not the result of threats, promises, duress or coercion; (4) is voluntary; (5) is fair and equitable; (6) is intended by the parties to be a binding agreement between the parties; and (7) is entered into after each provided the other with full disclosure concerning all of the issues resolved by this agreement.

THE COURT FURTHER FINDS that the parties' agreement constitutes a binding agreement under Rule 69 of the *Arizona Rules of Family Law Procedure* and is enforceable as such.

The Court declines to enter judgment this date pending an updated Arrears Calculation Report from the State.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2006-004982

09/01/2011

Based upon the evidence and argument presented the Court makes the following findings and orders:

IT IS ORDERED modifying the payment on arrears and reducing the payment to \$50 per month, commencing September 1, 2011. Payments shall be paid through the Support Payment Clearinghouse. The payment on arrears shall not be increased absent further order of the Court.

LET THE RECORD REFLECT an Order of Assignment shall initiate electronically by the above-named deputy clerk.

IT IS FURTHER ORDERED setting this matter for Enforcement Review Hearing, in this division, on **January 5, 2012, at 2:30 p.m.**, for the purpose of addressing entry of judgment based upon an updated Arrears Calculation Report from the State and for the Court to determine compliance with all orders:

The Honorable J. Justin McGuire
Maricopa County Superior Court
Central Court Building, 5th Floor
Courtroom 506
201 West Jefferson
Phoenix, AZ, 85003
602-506-0862

In the event Obligor (the party required to pay support) fails to appear for the hearing as set forth herein, a Child Support Arrest Warrant may be issued and/or a default judgment entered.

IT IS FURTHER ORDERED affirming Obligor's child support obligations are \$535 per month Current Child Support; \$50 per month Payment on Support Arrears—plus the applicable Support Payment Clearinghouse fee—for a monthly obligation of \$590. *Payment is due on the 1st of each month and late on the last day of the month.*

By the next hearing, the Court expects Father to pay no less than \$590 for the interim months until Enforcement Review Hearing and be prepared to provide proof of payments.

IT IS FURTHER ORDERED directing the courtroom clerk to update the address for Mother in iCIS as stated on the record this date in open court.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2006-004982

09/01/2011

/s/ J. Justin McGuire

The Honorable J. Justin McGuire
Judicial Officer of the Superior Court

11:25 a.m. Hearing concludes.

PLEASE NOTE: If Obligor cannot afford to pay the current child support order, he/she is obligated to file a petition to modify the current child support order. Obligor is directed to the Self-Service Center, the Referral for Legal Resources listed hereinbelow, and/or the office of the Assistant Attorney General for assistance in filing the appropriate Petition to Modify Child Support with the Court.

REFERRAL FOR LEGAL SERVICES

(1) Self Service Center, 101 West Jefferson, East Court Building, Phoenix, AZ. Automated telephone number: (602) 506-SELF. (Provides a variety of forms and instructions.) The parties may also obtain various forms from the Self-Service Center website at:

<<http://www.superiorcourt.maricopa.gov/ssc/sschome.html>>

(2) Lawyer Referral Service, 303 E. Palm Lane, Phoenix, AZ 85004 (Phone: (602) 257-4434). (Also available at: www.maricopabar.org) (This organization will refer you to a lawyer that meets your needs in your part of town. There is a \$35 charge for the first 30-minute conference. Any fees thereafter are set by the particular attorney.)

(3) Community Legal Service: 305 S. 2nd Ave. P.O. Box 21538, Phoenix, AZ 85036-1538 (Phone: (602) 258-3434). (Composed of Legal Aid Society and volunteer lawyers. The availability of service depends on your income level.)

(4) Family Law Assistance Program: (Phone: (602) 506-7948). Located on the 6th Floor of the Central Court Building, 201 W. Jefferson Street, Phoenix. (A program sponsored by the Volunteer Lawyers Program and Community Legal Service. The ½ hour consultation is free to eligible clients or a \$35.00 fee for those who don't meet eligibility requirements.)

(5) Modest Means Project: (Phone (866) 637-5341). (A program sponsored by the State Bar of Arizona and the Arizona Foundation for Legal Services and Education, and other non-profits. The Arizona Modest Means Project provides low-cost legal assistance to people who cannot afford the expertise of attorneys' at the standard rates, but who cannot qualify for free legal services due to income qualification or other restrictions. The Project serves those whose income is less than or equal to 250% of the federal poverty guidelines.)

PLEASE NOTE: This Court utilizes a digital audio recording system to preserve the official record of proceedings. Persons requesting copies of recorded proceedings do not have to provide blank CDs. All CDs will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2006-004982

09/01/2011

all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Counsel or litigants must complete the appropriate request form which may be obtained from the Self-Service Center or from Court staff and present the completed form to the Self-Service Center. All fees must be handled through the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

DOUGLAS ALLEN SCHAETZLE: IV-D Payment Instructions